AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111
Serial Number: 10/018,237
Filing Date: June 24, 2002
Title: METHOD FOR TRANSMITTING A CODE

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REMARKS

This responds to the Final Office Action mailed on September 8, 2008.

Claim 24 was amended to correct a typographical error, no claims are canceled, and no claims are added; as a result, claims 1-24 remain pending in this application.

§103 Rejection of the Claims

Claims 1-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Renner et al. (PCT Application No. WO 97/10560, hereinafter; "Renner") in view of Taskett (PCT Application No. WO 96/38813).

In the previous communication Applicants provided a detailed discussion explaining that claims 1-24 are patentable in view of the combination of Renner and Taskett and should be allowed.

In the "Response to Arguments" section on page 8 of the Detailed Action, the Final Office Action states that a stored value account number (SVAN) is akin to a "financial account identifier" recited in claim 1. A unique SVAN is created at a card production facility for each smart card. The SVAN in Renner is generated based on respective serial numbers of the card. (Renner, page 11, lines 13-19.) An issued card thus has a SVAN installed on it, explains Renner, and the SVAN is transmitted to a server to be stored in a database. A SVAN is associated with a balance expressed in a dollar amount, as shown in Figure 2 in Renner. The Final Office Action states that a SVAN generated at a card production facility and transmitted to the stored value server is considered to correspond to a "financial account identifier" recited in claim1 and that the stored value server is considered to correspond to "a code allocation unit" recited in claim 1. The Final Office Action further contends that the PIN to be used with the normal bank account, referred to in Renner on page 21, lines 10-25, "is akin to the access code being used to identify the user to a business entity." (Detailed Action, page 8, lines 7-9.)

It thus appears that the Final Office Action cites a SVAN of Renner to show "a financial account identifier" of claim 1 and the PIN to be used with a user's bank account to show "an access code" recited in claim 1.

Claim 1 recites "receiving financial account identifier information *of a user*." In Renner, the SVANs provided to the stored value server are not described as being associated with users. In fact, Renner explains that a SVAN is created as a function of a unique smart card identifier and that the account is not directly traceable to any particular cardholder. (Renner, page 5, lines 15-21.) Therefore, SVANs in Renner are distinct from and even teach away from a "financial account identifier information *of a user*," as recited in claim 1.

In order to show the operation of "from the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the access code" recited in claim 1, the Final Office Action refers to Renner at page 21, lines 10-16, describing a cardholder entering his PIN to be used with his normal bank account. While a value transfer may be implied in that passage in Renner, Renner fails to disclose or suggest that any value transfer is effected from the stored value server (relied upon by the Final Office Action to show the code allocation unit). Furthermore, the cardholder's debit or credit card account referred to in Renner is different from a financial account identifier received at a code allocation unit. Referring to the discussion above, the Final Office Action explicitly relied on SVANs to show a financial account identifier information of claim 1, presumably in an attempt to show the feature of "receiving financial account identifier information of a user at a code allocation unit," recited in claim 1. The financial account identifier information recited in the operation of "receiving" in claim 1 is the same financial account identifier information as in the operation of "effecting" recited in claim 1, as indicated by the presence of antecedent basis with respect to the phrase "financial account identifier information." Therefore, cardholder's debit or credit card account information referred to in Renner cannot be used to show the same financial account identifier information of claim 1.

Thus, Renner fails to disclose or suggest at least the operations of "receiving financial account identifier information of a user at a code allocation unit" and "from the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the

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access code." recited in claim 1. Taskett, whether considered separately or in combination with Renner, also fails to disclose or suggest these features of claim 1.

The Final Office Action correctly stated that Renner fails to disclose or suggest "the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer." The Final Office Action cites Taskett to show this feature.

In the "Response to Arguments" section on pages 8 and 9 of the Detailed Action, the Final Office Action explains that because the ID number is Taskett is used to determine whether sufficient funds exist in the associated prepaid telephone account, the ID number is associated with the balance/value of the account. While the ID number in Taskett may be used to determine the balance of the associated prepaid telephone account, an ID being *associated* with certain data is distinct from a code "being *reflected* in an amount of value." Furthermore, the ID number in Taskett is not only not being reflected in, but not in any way associated with "an amount of value associated with the value transfer," the value transfer being effected from the code allocation unit, as required by claim 1.

Thus, Taskett, whether considered separately or in combination with Renner, fails to disclose or suggest "the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer," as recited in claim 1.

Regarding claim 3, in order to show the feature "wherein the generated access code is equal to the amount of money associated with the value transfer" recited in claim 3, the Final Office Action cites a unique ID code in Taskett for accessing a prepaid telephone account service provider network. The position taken by Final Office Action appears to be (see page 3 of the Detailed Action) that because the ID number in Taskett can be used to determine whether sufficient funds exist in the account, the ID number may be considered as being equal to the amount of money associated with the value transfer. The reasoning behind this conclusion is unclear. A code that is associated with a certain value does not have to be equal to that value. (E.g., consider a part number "12345" associated with a price being "$1.99.") Thus, while claim

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3 is allowable by virtue of being dependent on allowable claim 1, claim 3 is further patentable in view of the Renner/Taskett combination because the combination fails to disclose or suggest "wherein the generated access code is equal to the amount of money associated with the value transfer," recited in claim 3.   Thus, while claim 3 is allowable by virtue of being dependent on allowable claim 1, claim 3 is patentable in view of the Renner/Taskett combination also because said combination fails to disclose or suggest " wherein the generated access code is equal to the amount of money associated with the value transfer," recited in claim 3.

Regarding claim 8, it has been explained in the previous response that because two distinct and complete codes (ID code and replacement code) discussed in Taskett cannot be regarded as corresponding to an access code comprising two partial codes, Taskett fails to disclose or suggest "wherein: the access code comprises at least two partial codes," recited in claim 8. In the "Response to Arguments" section on page 9 of the Detailed Action, the Final Office Action states that this argument is moot "because the applicant fails to incorporate into the claim language that the two partial codes are not distinct and are meant to be used for the same purpose." Claim 8, however, requires that the two partial codes make up an access code (or a portion of an access code), which requirement is recited in claim 8 as "the access code comprises at least two partial codes." Claim 8 also requires that the access code comprising two partial codes is "reflected in an amount of value associated with the value transfer," by virtue of claim 8 being dependent on claim 1. Because the ID code and the replacement code discussed in Taskett cannot be viewed as making up an access code (or a portion of an access code) that is reflected in an amount of value associated with the value transfer, Taskett, whether considered separately or in combination with Renner, this fails to disclose or suggest the features of claim 8.

Thus, while claim 8 is allowable by virtue of being dependent on allowable claim 1, claim 8 is patentable in view of the Renner/Taskett combination also because said combination fails to disclose or suggest "wherein: the access code comprises at least two partial codes," recited in claim 8.

Claim 12 recites operations to "effect a value transfer utilizing the financial account identifier information and the access code, the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for

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the value transfer." Therefore, claim 12 and its dependent claims are patentable and should be allowed in view of the combination of Renner and Taskett for at least the reasons articulated with respect to claim 1.

Claim 23 recites "from the code allocation unit effecting a money transfer transaction utilizing the financial account identifier information" and "generating an access code for the user utilizing an amount of money associated with the money transfer transaction." Therefore, claim 23 is patentable and should be allowed in view of the combination of Renner and Taskett for at least the reasons articulated with respect to claim 1.

Claim 24 recites "a transfer module to effect a value transfer utilizing the financial account identifier information and the access code." Therefore, claim 24 is patentable and should be allowed in view of the combination of Renner and Taskett for at least the reasons articulated with respect to claim 1.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (408) 278-4052 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.
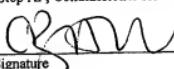
Respectfully submitted,

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Date ___ December 16, 2008 ___   By ___ /Elena Dreszer/ ___

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December __16__, 2008.

___ CHRIS BRET ___

Name

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